Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant: Serial No.: Mueller et al. 09/186,341

For:

COMPOUNDS ACTIVE AT A NOVEL SITE ON

RECEPTOR-OPERATED CALCIUM CHANNELS

USEFUL FOR TREATMENT OF

NEUROLOGICAL DISORDERS AND DISEASES

Filed:

November 4, 1998

Attorney(s):

Sheryl R. Silverstein

Docket No.:

238/105 US Date of Deposit: August 13, 1999

Enclosure(s):

Information Disclosure Statement, PTO Form 1449.

copy of application Serial No. 08/763,480 and postcard

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our

office.

Mueller et al.

Applicant: Serial No.:

09/186,341

For:

COMPOUNDS ACTIVE AT A NOVEL SITE ON RECEPTOR-OPERATED CALCIUM CHANNELS

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Enclosure(s): copy of application Serial No. 08/763,480 and postcard

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re the Application of: |) Group Art Unit: 1611 |
| Mueller et al. |) Examiner: Raymond, R. |
| Serial No.: 09/186,341 |) |
| Filed: November 4, 1998 |) |
| For: COMPOUNDS ACTIVE AT A NOVEL SITE ON RECEPTOR- OPERATED CALCIUM CHANNELS USEFUL FOR TREATMENT OF NEUROLOGICAL DISORDERS AND DISEASES |))))) |
| INFORMATION DISC | LOSURE STATEMENT |
| Assistant Commissioner for Patents Washington, D.C. 20231 | |
| Sir: | And the Making of |
| Enclosed is Form PTO-1449 listing a pate | |
| Allowance. A copy of the U.S. patent application | is submitted herewith. USSN 08/763,480 is a |
| parent application to the above-referenced application | ation. |
| | |
| SD-125936.1 CERTIFICAT | E OF MAILING |
| (37 C.I | F.R. §1.8a) |
| I hereby certify that this paper (along with any referred to a United States Postal Service on the date shown below with addressed to the Assistant Commissioner for Patents, Wash | sufficient postage as i list class with at all envelope |
| | Diana Neuner Name of Recognition Paper |
| 8113/99 | Name of Person Mailing Paper |
| Date of Denosit | Signature of Person Mailing Paper |

At this time, no fee is believed due in connection with this Information Disclosure Statement, however, please charge Deposit Account No. 12-2475 for any deficiencies.

Respectfully submitted,

LYON & LYON LLP

Sheryl R. Silverstein

Reg. No. 40,812

633 West Fifth Street, Suite 4700 Los Angeles, California 90071-2066

Phone: (858) 552-8400 Fax: (213) 955-0440

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

| ATTY. DOCKET NO. 238/105 | SERIAL NO. 09/186.341 | |
|--------------------------------------|--------------------------|--|
| APPLICANT: Alan L. Mueller et al. | | |
| FILING DATE: | GROUP: | |
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| U.S. PATENT DOCUMENTS | | | | | | | |
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| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FIUNG |
| | AA | 08,763,480 | 12/11/96 | Mueller et al. (patent allowed per NOA 6/3/99) | . 514 | 649 | 12/11/96 |
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| SD-125932.1 EXAMINER: | DATE CONSIDERED: |
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| EXAMINER: Initial if reference is considered, whether or not citation citation if not in conformance and not considered. Include a copy of | is in conformance with MPEP 609; Draw line through this form with next communication to applicant. |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Alan L. Mueller, et al.

Title:

COMPOUNDS ACTIVE AT A

NOVEL SITE ON RECEPTOR-

OPERATED CALCIUM CHANNELS USEFUL FOR

TREATMENT OF

NEUROLOGICAL DISORDERS

AND DISEASES

Appl. No.:

09/825,373

Filing Date: 04/02/2001

Examiner:

R. Raymond

Art Unit:

1624

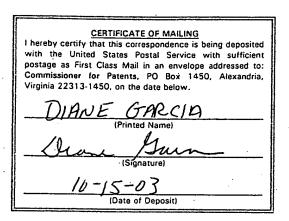
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR \$1.56

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.



TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date ______ let. 14 2003

By Riv & Prix

FOLEY & LARDNER

Customer Number: 33588

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(858) 847-6717

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(858) 792-6773

Richard San Pietro Attorney for Applicant Registration No. 45,071

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449B/PTO | | | Complete if Known | | | |
|-------------------------------|------------------------|------------|-------------------|------------------------|-----------------|-------------|
| | INFORMATION | DISCLO | SURE | Application Number | 09/825,373 | |
| | STATEMENT BY APPLICANT | | | Filing Date | 04/02/2001 | |
| | | | | First Named Inventor | ALAN L. MUELLER | |
| | | | | Group Art Unit | 1624 | |
| | (use as many shee | ets as nec | cessary) | Examiner Name | R. Raymond | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 072827-0336 | |

| | | | | U.S. PATENT DOCUMENTS | | |
|--------------------|--------------------------|-------------|---|--|---------------------------|--|
| | | U.S. Patent | Document | | Date of Publication of | Pages, Columns, Lines, |
| Examiner Initials* | Cite No. ¹ | Number | Kind Code ² (if known) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Where Relevant Passages or Relevant Figures Appear |
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| Examiner Initials* | Cite No. ¹ | F Office | oreign Patent [³ Number ⁴ | Document Kind Code ⁵ (if known) | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Т6 |
| | A1 | WO | 95/21612 | | NPS Pharmaceuticals, Inc. | 08-17-1995 | | 1 |
| | A2 | AU | 723349 | | NPS Pharmaceuticals, Inc. | 01-05-1998 | | 1 |
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| | | NON PATENT LITERATURE DOCUMENTS | | | |
|--------------------|--------------------------|--|--|--|--|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | |
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| Examiner Signature | Date Considered | |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant:

Alan Li Mueller et al.

Serial No.:

09/186,341

For:

COMPOUNDS ACTIVE AT A NOVEL SITE ON RECEPTOR-

OPERATED CALCIUM CHANNELS USEFULE FOR TREATMENT OF NEUROLOGICAL DISORDERS AND

DISEASES

Filed:

November 4, 1998

Attorney(s):

S. Silverstein

Docket No.:

238/105

Date of Deposit:

2/5/99

Enclosure(s):

INFORMATION DISCLOSURE STATEMENT, FORM 1449 AND

REPLY POSTCARD

SRS:kmc

NPS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re the Application of: |) |
|---|---|
| Alan L. Mueller et al. |) Group Art Unit: 1621 |
| Serial No.: 09/186,341 |) Examiner: To be assigned) |
| Filed: November 4, 1998 |) |
| For: COMPOUNDS ACTIVE AT A NOVEL SI ON RECEPTOR-OPERATED CALCIUM CHANNELS USEFULE FOR TREATME OF NEUROLOGICAL DISORDERS AND DISEASES | NT) |
| INFORMATION DISCLOS | SURE STATEMENT |
| Assistant Commissioner for Patents | · |
| Washington, D.C. 20231 | ************************************** |
| Sir: | |
| In compliance with the Applicants' duty under | r 37 CFR 1.97-98, the following information is |
| brought to the attention of the Examiner. Copies of | items listed on the attached Form PTO-1449 |
| were cited and/or provided in parent application numb | er 08/873,011 filed June 11, 1997. |
| The items identified in this Information Discle | osure Statement may or may not be "material" |
| pursuant to 37 CFR 1.56 and the submission thereo | of by Applicants shall not be construed as ar |
| admission that any such patent, publication or other | information referred to therein is material or |
| SD-103078.1 CERTIFICATE OF | MAILING |
| (37 C.F.R. §1 | |
| I hereby certify that this paper (along with any referred to as bein United States Postal Service on the date shown below with suffic addressed to the Assistant Commissioner for Patents, Washington | ient postage as First Class Mail in an envelope |
| | Karen M. Cruz |
| | Name of Person Mailing Paper |
| February 5, 1999 | 101V1 C2 |
| Date of Deposit | Signature of Person Mailing Paper |

considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designated by Applicants as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

This Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR 1.97(b) (3) before the mailing of a first Office Action on the merits, whereby no petition or fee is required. However, if counsel for Applicant is in error in this regard, the Commissioner is requested to consider this a petition and he is authorized to charge any required petition fee to counsel's Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: February 4,19

By:

neryl R. Silverstein

Reg. No. 40,812

633 West Fifth Street, Suite 4700 Los Angeles, California 90071-2066 (213) 489-1600

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

| ATTY. DOCKET NO. 238/105 | SERIAL NO. 09/186,341 |
|--------------------------------------|--------------------------|
| APPLICANT: Alan L. Mueller et al. | |
| FILING DATE: | GROUP: |

1621

November 4, 1998

U.S. PATENT DOCUMENTS EXAMINER SUB FILING INITIAL DOCUMENT NUMBER DATE CLASS CLASS DATE AA 3,258,488 6/28/66 Judd et al. 260 570.8 8/12/63 AB. 3,372,193 3/5/68 Moffet et al. 564 375 -AC 4,018,895 4/19/77 Molloy et al. 514 649 AD 4,070,373 1/1978 Winter et al. 549 354 ΑE 4,313,896 2/2/82 Molloy et al. 562 597 AF 5,037,846 8/6/91 Saccomano et al. 514 419 AG 5,145,870 9/8/92 Jakobsen et al. 514 524 AH 5,185,369 2/9/93 Saccomano et al. 514 502 ΑI 5,310,756 5/10/94 Jakobsen et al. 514 524 AJ 5,574,173 11/1996 Ting et al. 549 353

| | | | FOREI | GN PATENT DOCUMENTS | | | jë. | |
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| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSL | ATION |
| | AK | 1 051 281 | 25.02.59 | DE | 1000 | COGS | | |
| | AL | 33 285 | 05.12.64 | DE (Klosa et al.) | | | | |
| | AM | 1 169 944 | 11.07.67 | GB (Jones) | | | | |
| | AN | 1 129 029 | 02.10.68 | GB (Boehringer) | | | | |
| | AO | 1 129 210 | 02.10.68 | GB (Boehringer) | | | | |
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| | AV | 2 277 589 | 06.02.76 | FR (Boehringer) | | | | |
| | AW | 0 005 658 | 25.04.79 | EP (Leconte et ai.) | | | | |
| | AX | 0 208 523 | 14.01.87 | EP-(Usherwood et al.) | | | | |
| | AY | 0 399 50 | 23.05.90 | EP (Jakobsen et al.) | | | | |
| | AZ | 0 436 332 | 10.07.91 | EP (Saccomano et al.) | | | | |
| | ВА | 92/14709 | 03.09.92 | WO/PCT (Goldin et al.) | | | | |

EXAMINER:

DATE CONSIDERED:

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary):

| A: . f. DOCKET NO. SERIAL NO. 09/186,341 | | | | |
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| APPLICANT: Alan L. Mueller et al. | | | | |
| FILING DATE: November 4, 1998 | GROUP: 1621 | | | |

| EXAMINER | | DOCUMENT | | | | SUB CLASS | TRANSLATION | |
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| INITIAL | | NUMBER | DATE | COUNTRY | CLASS | | YES | NO |
| | BB | 93/04036 | 04.03.93 | WO/PCT (Saccomano et al.) | | | | |
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| EXAMINER | DATE CONSIDERED: |
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LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

| A : 17. DOCKET NO. 238/105 | SERIAL NO. 09/186,341 | |
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| APPLICANT: Alan L. Mueller et al. | | |
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| (Use several sheets if necessary) | FILING DATE: November 4, 1998 | GROUP: 1621 | |
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